



**Kirkpatrick & Lockhart Nicholson Graham LLP**

Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222-2312  
412.355.6500  
Fax: 412.355.6501  
Fax: 412.355.6461

**FAX**

---

**Date •** February 2, 2005

**Pages •** Seven

**Time •**

**Transmit To •** Examiner Daniel J. Jenkins

**Company/Firm •** US Patent and Trademark Office

**Telephone No. •** 571.272.1242

**Fax No. •** 571.273.1244

**From •** Mark R. Leslie

**Phone •** 412.355.6271

**Secretary •** Nancy Schuler

**Phone •** 412.355.6535

**Attorney No. •** 0323

**Client/Matter Name** KPMC

---

**Client ID/Matter No. •** 0200400.0046

---

**COMMENTS:** Our File No.: 00533

---

When you are sending to us, please be sure to include a cover sheet with your transmittal and a telephone number where you can be contacted in case of equipment malfunction.

**Transmitted by:**

**Time:**

---

**IMPORTANT:** The materials transmitted by this facsimile are sent by an attorney or his/her agent, and are considered confidential and are intended only for the use of the individual or entity named. If the addressee is a client, these materials may also be subject to applicable privileges. If the recipient of these materials is not the addressee, or the employee or agent responsible for the delivery of these materials to the addressee, please be aware that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us at 412.355.6500 (collect) and return the transmitted materials to us at the above address via the U.S. Postal Service. We will reimburse you any costs incurred in connection with this erroneous transmission and your return of these materials. Thank you. Please report problems with reception by calling 412.355.6500.

PI-1303789 v1

**Attorney Docket No. 00533****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit 1742	:	
Examiner D. Jenkins	:	
In re application of Newman et al.	:	METHOD OF PRODUCING
Serial No. 09/887,289	:	POWDER METAL PARTS FROM
Filed 22 June 2001	:	METALLURGICAL POWDERS
	:	INCLUDING SPONGE IRON

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Pittsburgh, Pennsylvania 15222-2312  
2 February 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In a Notice of Non-Compliant Amendment ("Notice") mailed 27 January 2005 in the above-identified application, the Legal Instruments Examiner concludes that the amendment filed on 14 June 2004 ("Amendment") is

**Certification of Facsimile Transmission**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Type or Print Name of Person Signing Certification

Patricia A. Mack

Signature Patricia A. Mack Date February 2, 2005

non-compliant because "[e]ach claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified." Accordingly, the undersigned submits herewith a revised version of the "Claim Amendments" section of the Amendment. The undersigned notes that the single change made to the attached paper is to substitute "Previously presented" for "Previously added" in the parenthetical associated with claim 53.

It is respectfully submitted that the attached paper is fully responsive to the Notice and that the Amendment should be forwarded to the Examiner for due consideration. If, instead, the Legal Instruments Examiner has any remaining concerns regarding the form of the Amendment, Applicants request that she contact the undersigned by phone so that those concerns can be addressed expeditiously.

Respectfully submitted,



Mark R. Leslie  
Registration No. 36,360

Attorney for Applicants

KIRKPATRICK & LOCKHART LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, Pennsylvania 15222-2312  
Telephone: (412) 355-6271  
Facsimile: (412) 355-6501